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SUBJECT: SUPPORTING HUMAN RIGHTS AND DEMOCRACY: THE U.S.

RECORD IN COLOMBIA 2003-2004

REF: 03 STATE 333935

1. This is in response to reftel request.

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Human Rights Strategy Report  
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2. Although Colombia is a democracy, a major internal armed conflict financed by drug trafficking and other criminal activities has created an environment in which serious violations of human rights, almost all of which are committed by guerrillas or illegal paramilitaries, are commonplace. The civilian judiciary is independent of the executive and legislative branches but confronts profound challenges from corruption and intimidation by guerrillas, paramilitaries, and other wealthy criminal organizations. More significantly, the cumbersome inquisitorial judicial system is overworked and faces serious resource constraints. Impunity from prosecution, therefore, is a threat to the creation of a culture of respect for human rights.

3. The 2003-2004 U.S. human rights and democracy strategy for Colombia is both proactive and responsive, tackling the root causes of human rights violations and social unrest while continuing to invest in short-term emergency humanitarian assistance. Key strategic objectives include protection of vulnerable populations, increased access to the justice system, support for judicial reforms and the rule of law, promotion of local governance and peace initiatives, and provision of humanitarian assistance.

4. Working with the Colombian Ministry of Interior and Justice, USAID has provided security protection assistance to 3,145 people and 71 offices under threat. The protection program includes threatened human rights workers, union leaders, journalists, members of the left wing Patriotic Union Party, mayors, city council members and municipal human rights workers. The USAID-funded Early Warning System expanded to 20 regions, allowing it to respond effectively to 170 of 220 alerts and potentially preventing massacres, forced displacements and other egregious human rights violations.

5. In FY 2003, eleven additional USAID-funded Justice and Peace Houses -- one-stop legal assistance shops -- were established for a cumulative total of 33, thereby increasing access to the justice system for a total of 1.8 million poor and marginalized Colombians. DOJ has developed and implemented a multi-faceted strategy to strengthen the GOC's capability to investigate and prosecute human rights cases, providing Colombian judicial police investigators, forensic examiners, and prosecutors with the necessary training, technical assistance, and equipment to enhance and upgrade their individual skill levels. The strategy employs a task force concept, whereby personnel from 11 satellite Human Rights Units in the Prosecutor General's Office train and work together, resulting in a more effective case flow from the initial criminal investigative stage through final case resolution. In 2003, the Office of the Prosecutor General conducted major operations against guerrilla and paramilitary criminal organizations, bringing charges for murder, assault, extortion, and drug trafficking. In 2003, DOJ trained 840 police assigned to rural outposts with little or no previous police presence; trained 400 police in accusatory system/oral trial techniques; and trained 172 prosecutors, judicial police, and judges in trial advocacy. Also in 2003, specialized training and state of the art equipment donations enabled Colombian forensic labs to investigate human rights violations more effectively. This included the enhancement of DNA analyzers and the CODIS database; upgrading of the Integrated Ballistics Identification System (IBIS); updating of forensic imaging and document analysis systems; upgrading of the automated fingerprint identification system; and the design and installation of a wireless network providing inter-agency connectivity and information sharing. Enhanced IBIS testing was used in an investigation in the department of Casanare to link nine separate homicides to the same weapon, resulting in the arrest of one suspect for four of the homicides.

6. USAID's Peace Program underwent significant change and

growth in 2003. While it continued to support civil society initiatives to promote peace and conflict resolution, the program also developed a working relationship with Colombia's new High Commissioner for Peace to design and implement initiatives to support peace negotiations with illegal armed groups. As negotiations began between the Colombian government and paramilitary groups, USAID provided advice regarding policy and programmatic parameters for a possible demobilization initiative. Also in conjunction with the High Commissioner and Ministry of Interior and Justice, USAID established Peaceful Co-Existence Centers in three of the most conflict-ridden municipalities in Colombia. These centers provided communities with a neutral space for dialogue, conflict resolution and social services.

17. USAID's Local Governance Program, which works to improve the capacity of municipal governments to involve citizens in local decision-making, provide services, and manage resources effectively and transparently, supported the establishment of 117 social infrastructure projects in 64 municipalities. These projects were administered through local citizen oversight committees that established project priorities and oversaw their management and financing. In addition, USAID successfully completed a nationwide public awareness anti-corruption campaign that reached six million citizens through radio, newspaper, and television messages, and standardized internal control units in nineteen government agencies.

18. DOJ and USAID worked to help reform Colombia's criminal justice system in an effort to accelerate the legal process. DOJ assisted the GOC in drafting a new criminal procedure code to move the system towards an accusatorial system. The draft code is currently under consideration in the Colombian Congress. DOJ and USAID organized joint accusatory trial technique courses for judges, prosecutors, police, defense attorneys and investigators. DOJ funded visits for judges and legislators to observe the accusatory system in practice in Puerto Rico. DOJ also implemented an instructors' course at the Prosecutor General's training facility, which trained instructors to conduct their own courses in forensic specialties, basic investigative skills, trial techniques, interview techniques, and crime scene management. Over the next three years, DOJ and USAID will assist the GOC in providing training to approximately 3,000 prosecutors, 1,000 judges, 10,000 police investigators, and 1,500 defense attorneys. In cooperation with the Colombian Justice Sector High Level Commission, USAID has built 27 trial courtrooms to complement the shift towards an accusatorial system.

19. Although NGO statistics indicate kidnappings have dropped approximately 30 percent in 2003, kidnapping remains a significant problem in Colombia. DOJ assisted the Government of Colombia in developing and implementing a comprehensive program to investigate and prosecute kidnapping and extortion offenses. Six courses in the areas of Human Resources Intelligence Management, Racketeering Enterprise Investigations, Kidnapping Investigations and Ransom Investigations and Interviewing and Interrogation were held for 180 law enforcement, prosecutorial, and military personnel. The intimidation of witnesses and judicial sector personnel is also a serious problem. DOJ provided training and equipment for GOC protective force personnel in both the witness and dignitary protection areas, including personnel from the Bogota mayoral and other GOC ministerial security details.

10. The ongoing armed conflict in Colombia has displaced approximately 2.2 million people since 1995. The State Department's Bureau of Population, Refugees and Migration is funding seven international organizations (IOs) and NGOs in Colombia that provide emergency humanitarian assistance such as food, temporary shelter, hygiene & household kits, psycho-social attention and health care to newly displaced persons. USAID is also providing mid- to long-term assistance to displaced persons through seven IOs and NGOs, focused on economic reintegration of displaced persons where they reside, and a smaller but significant returnee component. Program activities include productive projects, micro-credit programs, vocational training and job placement, health care, shelter, income generation, improved education and basic community infrastructure.

11. Although labor union-related homicides and kidnappings dropped significantly in 2003, violence against labor union leaders and activists continues to be a serious problem. Through a grant from DOL, the AFL-CIO's Solidarity Center provided U.S.-based training and technical education to nearly 40 Colombian trade union leaders who were under threat. DOL also funded an International Labor Organization (ILO) project designed to improve labor relations and generate quality employment for women. A second DOL grant provided funding to the ILO's International Program for the Elimination of Child Labor (IPEC). In 2003, almost 3,000 children left their work in low-tech open-pit mines under an IPEC-funded pilot project.

12. Addendum: USG-Funded Human Rights and Democracy Programs  
in Colombia (in U.S. Dollars)

A. USAID Programs (FY 2003)

Administration of Justice

-- Development and Strengthening of Criminal Justice System:  
2,271,460  
-- Institutional Strengthening and ADR Mechanisms: 4,852,626  
-- Improved Capacity of Criminal Justice Sector: 323,547  
-- Monitoring and Evaluation: 109,508

Human Rights

-- Prevention: 534,036  
-- Protection: 1,509,227  
-- Response: 3,130,496

Local Governance

-- Grants and Subcontracts: 1,663,000  
-- Social Infrastructure Projects: 3,488,000  
-- Technical Assistance and Training: 1,740,000

Transparency

-- Improve Internal Controls: 600,000  
-- Strengthen Citizen Participation: 1,000,000  
-- Promote Civic Responsibility and Ethnic Groups: 1,200,000

Peace Initiatives

-- Co-Existence Centers: 2,000,000  
-- Grants: 1,000,000

Displaced Persons Programs (grantees)

-- PADF (5 years): 34,200,000  
-- IOM (5 years): 43,400,000  
-- UNICEF (3.5 years): 2,750,000  
-- UNHCR (2 years): 156,000  
-- Profamilia (5 years): 10,750,000  
-- World Food Program (3 years): 5,100,000  
-- Cooperative Housing Foundation, Int'l (3 years):  
16,700,000

B. Department of Justice Programs (Total Obligations through  
9/30/03)

-- Establish Human Rights Units in Colombian National Police  
and Prosecutor General's Office: 22,445,480  
-- Criminal Code Reform: 999,398  
-- Prosecutor Training: 3,497,729  
-- Anti-Kidnapping Strategy: 755,095  
-- Judicial Police Training: 2,773,587  
-- Witness Protection and Judicial Security: 8,262,805  
-- Multilateral Case Initiative: 2,777,348

C. Bureau of Population, Refugees and Migration (grantees)

-- International Committee of the Red Cross: 7,920,000  
-- UN High Commissioner for Refugees: 1,400,000  
-- World Food Program: 1,500,000  
-- Pan American Health Organization: 500,000  
-- UNICEF: 700,000  
-- Cooperative Housing Foundation, Int'l: 5,800,000  
-- American Red Cross: 2,000,000

D. USDOL Programs (grantees)

-- AFL-CIO Solidarity Center Training and Technical Education  
Program: 1,700,000  
-- ILO Labor Relations Project: 2,000,000  
-- ILO-IPEC Project: 220,000

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